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25 Attorneys for Plaintiff  
26 DAVID KAYNE

27 DAVID KAYNE, an individual citizen of  
28 Georgia,

v.  
29 Plaintiff,

30 THE THOMAS KINKADE COMPANY,  
31 formerly known as MEDIA ARTS  
32 GROUP, INC., a Delaware Corporation,,

33 Defendant.

CASE NO. C 07-4721 (SI)

**STIPULATED REQUEST FOR  
CONTINUANCE OF CASE MANAGEMENT  
CONFERENCE DATE**

34 STIPULATION

(No. 07-4721 (SI))

1                   **STIPULATED REQUEST FOR CONTINUANCE**

2                   Plaintiff David Kayne ("Kayne") and Defendant The Thomas Kinkade Company ("TKC")  
3 hereby stipulate and submit the following joint request for continuance:

4                   WHEREAS, Kayne commenced this case by filing a complaint (the "Complaint") on  
5 September 12, 2007;

6                   WHEREAS, TKC filed a motion to dismiss (the "Motion to Dismiss") and a motion to  
7 strike (the "Motion to Strike") on October 4, 2007;

8                   WHEREAS, the Motion to Dismiss and Motion to Strike were originally set by this Court  
9 for hearing on December 7, 2007;

10                  WHEREAS, the case management conference (the "Case Management Conference") in  
11 this matter was also set for hearing on December 7, 2007;

12                  WHEREAS, on November 27, 2007, the Court moved the hearing date for the Motion to  
13 Dismiss and Motion to Strike to December 18, 2007 due to the Court's unavailability on  
14 December 7, 2007;

15                  WHEREAS, the Case Management Conference has not been rescheduled and is currently  
16 set for hearing on December 7, 2007;

17                  WHEREAS, counsel for TKC is located in Los Angeles, California;

18                  WHEREAS, counsel will be required to travel to San Francisco on two separate occasions  
19 under the schedule as currently set, resulting in substantial additional expenditure of time and  
20 money;

21                  WHEREAS, Kayne and TKC desire to stipulate to reschedule the Case Management  
22 Conference on the terms and conditions set forth herein.

23                  /

24                  /

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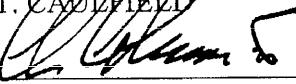
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1 NOW THEREFORE, Kanye and TKC by and through their counsel jointly request that the Court  
2 reschedule the Case Management Conference as follows:

3 The Case Management Conference currently scheduled for December 7, 2007 at 2:00 p.m.  
4 be continued to December 18, 2007 at 2:00 p.m., or such other time on December 18, 2007 that  
5 the Court deems convenient.

6 Dated: November 27, 2007

7 HOLLAND & KNIGHT LLP  
CHARLES L. COLEMAN, III  
ANDREW T. CALFIELD

8 By: 

9 Charles L. Coleman, III  
10 Attorneys for Plaintiff  
11 DAVID KAYNE

12 Dated: November 27, 2007

13 McDERMOTT WILL & EMERY LLP  
DANA N. LEVITT, PC  
CHARLES E. WEIR  
JASON D. STRABO

14 By: 

15 Charles E. Weir  
16 Attorneys for Defendant  
17 THE THOMAS KINKADE COMPANY

18 IT IS SO ORDERED.

19 The date for the Case Management Conference is continued to December 18, 2007 at \_\_\_\_\_.

20 Dated: \_\_\_\_\_

21 Hon. Susan Illston  
22 United States District Court Judge